

CITY OF RUTLAND, VERMONT
Board of Aldermen Minutes
Monday, January 5, 2015

Members present; President Allaire, Aldermen Kiernan, Humphrey, Notte, Donahue, Siliski, Brodowski, Larson, Bloomer, DePoy, and Davis. Also present, Mayor Louras, Attorney Romeo and City Clerk Heck.

President Allaire called the meeting to order at 7 PM.

MINUTES OF PREVIOUS MEETING (December 15 , 2014)

A motion was made and seconded (Davis, Larson) to approve the minutes of the previous meeting.
Motion passed.

OUTSIDE THE RAIL

Kathleen Krevetski spoke on fluoride in the water.

Susan Schribeman from the Rutland Planning Commission spoke on the issue of reducing the City wide speed limit to 25 MPH. Ms. Schribeman noted several meetings at different locations throughout the City and asked for public input.

Kam Johnston sought a 1, VSA section 1314 request asking for a written response to use a video camera during public hearings based on the criteria set per statue.

COMMUNICATIONS FROM THE MAYOR

There were no communications from the Mayor.

ADDITIONS AND DELETIONS TO THE AGENDA

Kam Johnston asked to add an abatement to the agenda. Alderman Notte asked the Board to follow procedure on abatement request and sought to have it added to their next 1-20-2015 agenda. With no further debate, the President moved on to the next request.

President Allaire asked the Board to add the issue of State Representative briefing to the agenda. The request was so moved and seconded (Siliski, Notte). **Motion passed.** The request was added to the Unfinished Business portion of the agenda. There was no other request to add or delete from the agenda.

President Allaire noted the large contingent of people for the St John Street issue on the agenda and noted that he would be taking that issue up very shortly.

REPORTS AND LETTERS FROM DEPARTMENT HEADS AND OFFICIALS

City Clerk Heck; BOA Holiday Monday Closings

President Allaire read the request from Clerk Heck to move certain Holiday Monday Board of Aldermen Meeting to the following day (Tuesday). A motion was made and seconded (Notte, Larson) to suspend the rules and take the issue up that evening. **Motion passed.** Alderman Notte then moved to change the requested Monday Board meetings from January 19th, February 16th and September 7th to the following day, Tuesday. **Motion passed.**

Attorney Romeo; Request for an Executive Session to Discuss a Pending Civil Action

President Allaire asked the Board to move that request towards the end of the meeting. There were no objections.

Acting Police Chief David Covell; Request to Sell City Property

President Allaire read the request and sought action from the Board. A motion was made and seconded (DePoy, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** Alderman DePoy moved to approve the sale of the four (4) Ford Crown Vics as requested by Acting Chief Covell. There was brief debate in regards to where the funds should be directed. An amendment to directly place the funds in the Police Equipment Replacement Fund was made and seconded (Davis, Brodowski). There was debate as to the need, as it was debated that as part of the prior exercise to allow there to be leasing, any car sold would require those funds to be placed back into that fund line. With the issue settled, President Allaire called for a vote on the original motion. **Motion passed.**

Barbara Spaulding; RRA, NW Neighborhood Revitalization Grant Agreement

President Allaire read the request and noted that the RRA was looking for a resolution grant to be circulated for signatures. A motion was made and seconded (Davis, DePoy) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Davis, DePoy) to circulate the Grant Agreement Resolution for signatures. There was brief debate. **Motion passed.**

Larry Jensen; Police Commission, Request to approve Acting Chief Covell's Contract

President Allaire read the request from Police Commission Chair Larry Jensen and sought the Boards desire. A motion was made and seconded (Siliski, Notte) to suspend the rules and take the issue up that evening. **Motion passed.** A motion was made and seconded (Siliski, Notte) to approve the contract for Acting Chief Police Covell. There was a question from Alderman Larson that he felt needed to be asked in executive session. The Board debated that request when a motion was made and seconded (DePoy, Larson) to enter into executive session. Debate followed. Alderman Notte sought to hold the executive session at the end of the meeting based on the agenda and the large public gathering for a zoning issue. The executive session motion was withdrawn, the original motion to approve the contract was tabled and the Board moved on in the agenda.

President Allaire moved to the Unfinished Business portion of the agenda and took up the St John Street zoning issue.

UNFINISHED BUSINESS

Proposed 167 St John's Street Zoning Change

President Allaire noted several options at present available to the Board and sought direction. Attorney Romeo restated the exact language for the rezoning issue for the Board. A motion was made and seconded (Siliski, Davis) to suspend the rules and take the issue up that evening. **Motion passed.** The President then sought a motion from the Board approving the aforementioned zoning amendment with language provided by the City Attorney. Alderman Donahue so moved. Alderman Davis seconded. Debate followed. Several residents of St. John St. and One from Stratton Rd. spoke against the re-zoning. Bob & Nancy Kelly spoke in favor of the re-zoning request. Debate went back inside the rail to Board members. With no further debate, President Allaire sought to call the motion when a roll call vote was requested (Alderman Siliski). President Allaire noted the request and asked the Clerk to call the roll.

Alderman Davis		NO
Alderman DePoy		NO
Alderman Bloomer		NO
Alderman Larson		NO
Alderman Brodowski		NO
Alderman Siliski		NO
Alderman Donahue		NO
Alderman Notte	YES	
Alderman Humphrey		NO
Alderman Kiernan		NO

One (1) YES, Nine (9) NO, **Motion failed.**

President Allaire stated the motion failed and moved on in the agenda to Reports.

REPORTS OF STANDING COMMITTEES

There were no Standing Committees reports

REPORTS OF SELECT COMMITTEES

There were no Select Committee reports

REPORTS OF REPRESENTATIVES

There were no representative reports

PETITIONS, LETTERS, MISCELLANEOUS COMMUNICATION

59 Prospect St. Sidewalk Complaint

President Allaire read the complete complaint from John Tuepker on the issue of the sidewalk in front of 59 Prospect St. A motion was made and seconded (DePoy, Larson) to receive and file. **Motion passed.**

BOARD OF CONTROL COMMISSIONERS

There were no items to come before the Board of Control Commissioners

MISCELLANEOUS MOTIONS, RESOLUTIONS, NEW BUSINESS

President Allaire noted this spot in the agenda to take the Attorney's request for an executive session. Attorney Romeo noted that the Commission Chair and Acting Chief Covell were still waiting on their issue for an executive session and deferred to them. President Allaire noted the proposed contract for Acting Chief Covell. Alderman DePoy requested moving into executive session where premature or general knowledge could place the City at a substantial disadvantage. Alderman Notte seconded. **Motion passed.** A motion moving into executive session for discussion of a contract was so moved and seconded (Davis, Larson). **Motion passed.**

At 8:15 PM the Board moved into executive session.

At 8:25 PM a motion was made and seconded (Davis, Notte) to move out of executive session. **Motion passed.** President Allaire noted that the original motion had been tabled. A motion to untable was made and seconded (Davis, DePoy). **Motion passed.** A motion was made and seconded (Larson, Davis) to amend the original motion adding that section 6 the period (.) be changed to a comma (,) and "subject to the approval by the Police Commission pursuant to department policy" be added. **Motion passed.** President Allaire then noted the original motion as amended was on the floor. There was brief debate as to the motion for approval and if the Mayor needed to sign. The President stated that the motion was to approve and authorize the Mayor to sign and it had been seconded. There was no debate. **Motion passed.**

President Allaire then noted the request by Attorney Romeo for an executive session and stated a motion to go into executive session where premature or general knowledge could place the City at a substantial disadvantage. This request was so moved and seconded (Davis, Notte). **Motion passed.** President Allaire then stated a motion to go into executive session to discuss a civil action was needed. This request was so moved and seconded (Donahue, Brodowski). **Motion passed.**

At 8:30 PM the Board moved into executive session.

At 9:03 PM a motion was made and seconded (Davis, Notte) to move out of executive session. **Motion passed.**

It was requested that Kam Johnston's abatement request, denied earlier in the meeting be added to the January 20th BOA Agenda.

President Allaire then sought a referral and told the Board about his meeting with the House Representatives and a desire to have the Board and House Representatives meet to discuss the legislative agenda. A motion was made and seconded (Davis, Notte) to refer the requested issue to the Committee of the Whole. **Motion passed.**

It was noted that Mayfield Road had issues with curbing from plow damage. An update was requested on the Taxi cab ordinance and Woodstock Avenue Solar Farm.

At 9:13 PM a motion was made and seconded (Davis, Notte) to adjourn. **Motion passed.**

Respectfully submitted,

Henry A. Heck
Rutland City Clerk